(B)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 3424 /2003

PETITIONER : **Jugal Kishore Singh, S/o Shri Satyapal Singh, aged 40 years, 1/C/83, Bishrampur, District Sarguja (C.G.)**

-VERSUS-

RESPONDENTS :

1. **State of Chhattisgarh through Secretary, Dept of Home, Mantralaya, D.K.S.Bhavan, Raipur (C.G.)**
2. **Inspector General of Police, Chhattisgarh, Raipur (C.G.)**
3. **Superintendent of Police, Ambikapur District Sarguja (C.G.)**
4. **Station House Officer, Police Station, Bishrampur, District Sarguja (C.G.)**

P. R. No. 3248/03
Presented by Shri S.N.S. Kushwaha
dated 15.10.03

Clerk to A. G. Bilaspur

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

XI-HC-22

(34)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(33)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No 3424/2003 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	02/01/2004 Shri Rajeev Shrivastava, counsel for the petitioner. Shri P.Das, learned Panel Lawyer for the State/ respondents no. 1 to 4. Heard. The case of the petitioner is that he is a Director of Colliery Karmachari Co-operative Consumer Society, Bishrampur, District Sarguja. The President of the Society i.e., Mangla Singh Yadav committed embezzlement and financial irregularity to get personal benefit out of it by making forged signature of the petitioner. The petitioner has lodged a complaint against Mangla Singh Yadav at Police Station Bishrampur, but the Station House Officer did not take any action. Therefore, the petitioner lodged a complaint before the respondent no.3 i.e., Superintendent of Police, Ambikapur under the provisions of Section 154(3) of the Code of Criminal Procedure, 1973, but the respondents are not discharging their duties in investigating the petitioner's complaint. I have heard learned counsel for the parties. Learned counsel for the petitioner submits that as per the provisions of the Cr.P.C., if any complaint is made to the Police Officer in connection with cognizable offence, even orally to an officer-in-charge of a police station, he is duty bound to register the case and investigate the matter. Since the ~~present~~ Station House Officer ~~concerned~~, Police Station Bishrampur had not taken any action, a complaint was lodged before Superintendent of Police	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

i.e., respondent no.3. As per the provisions of Section 154(3) of the Code of Criminal Procedure, even the Superintendent of Police is also not taking any action, therefore, the respondent may be directed to take an appropriate action in accordance with law. As per the provisions of Section 154 of Cr.P.C. if any oral or written complaint is made to the Police Officer for the cognizable offence, then the Station House Officer is duty bound to reduce in writing the report and if the Station House Officer fails to register the case in accordance with law, the aggrieved person can approach the Superintendent of Police of the concerned District and if satisfied that such information discloses the commission of a cognizable offence, shall either investigative the case himself or direct an investigation to be made by any Police Officer. Therefore, the Superintendent of Police i.e., respondent no.3 was bound to act upon the complaint of the petitioner and ordered for enquiry.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, respondent no.3 is directed to receive the complaint of the petitioner and to act in accordance with under the provisions of Section 154(3) of the Code of Criminal Procedure.

With the aforesaid directions and observations, this writ petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C:BHADOO
Judge

Rajni
SG

[पीछे देखिये